

EXHIBIT F

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

- - -
EQUAL EMPLOYMENT : CASE NO.
OPPORTUNITY COMMISSION : WDQ 02-CV-648
Plaintiff :
v. :
LA WEIGHT LOSS :
CENTERS, INC. :
Defendant :

- - -
January 13, 2006
- - -

Videotaped oral deposition
of WILLIAM P. DOYLE, III, taken pursuant
to notice, was held at the offices of THE
EQUAL EMPLOYMENT OFFICES, The Bourse
Building, 5th & Market Streets, Fourth
Floor, Philadelphia, PA, beginning at
11:08 a.m., on the above date, before
Nancy D. Ronayne, a Professional Court
Reporter and Notary Public in the
Commonwealth of Pennsylvania.

- - -
ESQUIRE DEPOSITION SERVICES
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1 MR. PHILLIPS: I'll let you
2 keep that, David, I know you don't
3 have any.
4 MR LANDAU: I have a little
5 collection.
6 BY MR. PHILLIPS:
7 Q. So it's fair to say then
8 that prior to becoming an area supervisor
9 you did not receive any training or
10 coaching on the topic of hiring from
11 anyone at LA Weight Loss?
12 MR LANDAU: Object to the
13 form.
14 THE WITNESS: Could you
15 rephrase that question a little
16 please.
17 MR. PHILLIPS: Sure.
18 BY MR. PHILLIPS:
19 Q. Is it a fair statement that
20 you did not receive any formal training
21 from LA Weight Loss on hiring before you
22 became an area supervisor?
23 A. That's correct.
24 Q. And it's fair to say that

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1 you were never given any coaching
2 instruction from other managers on hiring
3 prior to being an area supervisor?
4 A. Correct.
5 Q. Okay. Because it was not
6 your job?
7 A. Correct.
8 Q. After you were promoted to
9 area supervisor did you receive any
10 training on the hiring process at LA
11 Weight Loss?
12 A. Yes.
13 Q. How many trainings?
14 A. One.
15 Q. Can you describe that
16 training for me; when was it?
17 A. The end of April after I
18 accepted the position to take the area
19 supervisor in Dayton and it was a day
20 long training in the Kamilla, New York
21 center.
22 Q. Who conducted the training?
23 A. Michelle Blum.
24 Q. And was anyone else present

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1 at that training other than yourself and
2 Ms. Blum?
3 A. Yes.
4 Q. Who else was present?
5 A. Other area supervisors in
6 the Northern New York region.
7 Q. Were you provided with any
8 materials associated with that training?
9 A. Yes.
10 Q. Can you describe the
11 materials for me; what were they?
12 A. It's a white book with
13 staples up the middle folded in half.
14 It's I believe the title is Area
15 Supervisor Resource Manual or Training
16 Manual something along those lines.
17 Q. What topics were covered in
18 the training specific to hiring?
19 A. Specific to hiring only?
20 Q. Yes.
21 A. The interview process, the
22 questions you can ask, the questions you
23 can't ask. What to look for in somebody.
24 That's basically in a nut shell.

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1 Q. What were you told about
2 what to look for in someone?
3 A. The same thing I was told in
4 the orientation, high energy,
5 enthusiastic, the ability to show and
6 feel empathy for clients, sales can be a
7 plus.
8 Q. Oh, prior sales experience?
9 A. Correct. Somebody with a
10 little bit of edge so they can think
11 quick on their toes. That's basically
12 it.
13 Q. Were you told about any
14 particular -- other than sales generally,
15 were you told anything about any
16 particular kind of prior job experience
17 to look for in a candidate?
18 A. People skills, somebody who
19 has worked with the public in the past.
20 Q. Were you told any particular
21 industries to look for, job experience in
22 any particular industries?
23 A. Emotional sales, cosmetics,
24 hair care products, hairdressers,

17 (Pages 62 to 65)

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1 waitresses and bartenders.
 2 Q. Anything else?
 3 A. Not that I recall.
 4 Q. Was this in writing or was
 5 this verbally presented or both?
 6 A. I — I recall it being
 7 verbally presented.
 8 Q. By Ms. Blum?
 9 A. Yes.
 10 Q. Do you agree with that list?
 11 A. Yes.
 12 Q. You think that those are
 13 people who work out particularly well as
 14 employees of LA Weight Loss?
 15 A. They can, yes.
 16 Q. Have you ever been a
 17 bartender?
 18 A. Yes.
 19 Q. You have?
 20 A. Yes.
 21 Q. Okay. You didn't mention
 22 that earlier, was that one of —
 23 A. It was one of the little odd
 24 jobs, it was a friend's bar and I filled

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1 in a couple of nights when he wasn't able
 2 to work.
 3 Q. Just handed you a drink
 4 manual and put you to work?
 5 A. It was an older crowd so
 6 yes.
 7 Q. Poured a lot of beer?
 8 A. Yes, yes.
 9 Q. Have you ever been a food
 10 server?
 11 A. No.
 12 Q. Ever been a hairdresser?
 13 A. No.
 14 Q. Ever sold hair care products
 15 or cosmetics?
 16 A. No.
 17 Q. You've done very well for
 18 yourself notwithstanding all that.
 19 A. Thank you.
 20 Q. Have you ever had any
 21 negative experiences with employees who
 22 you knew to have job experience in
 23 cosmetic sales?
 24 A. Not that I recall.

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1 Q. Have you ever had any
 2 negative experiences with any employees
 3 who had job experience in hair care or
 4 hairdressing, hair care products or
 5 hairdressing?
 6 A. Not that I recall.
 7 Q. Have you ever had any
 8 negative experiences with employees —
 9 you start to see a pattern here — have
 10 you ever had any negative experiences
 11 with any employees with food service
 12 background to your knowledge?
 13 A. Not that I recall.
 14 Q. When you say that those
 15 persons with experience in those
 16 backgrounds, cosmetics, hair care
 17 products, hairdressers, food service,
 18 bartenders, that those people can be
 19 successful employees at LA Weight Loss,
 20 what's the basis for that statement?
 21 A. Experience dealing with the
 22 public and that would be it.
 23 Q. So the common denominator
 24 then among all of these people are these

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1 are people who deal with the public on a
 2 daily basis?
 3 A. Correct.
 4 Q. Is it fair to say then inner
 5 personal skills are extremely important
 6 at LA Weight Loss?
 7 A. Elaborate on inner personal
 8 skills please.
 9 Q. The ability to have positive
 10 interaction with clients?
 11 A. Yes.
 12 Q. As an area supervisor, how
 13 do you determine whether someone has that
 14 ability to have positive interaction with
 15 clients, a candidate, how do you
 16 determine that?
 17 A. With an interview.
 18 Q. Are there any set questions
 19 that you ask in interviews?
 20 A. Yes.
 21 Q. What are those?
 22 A. What is — what was your
 23 favorite job, what was your least
 24 favorite job and why. Who was your

18 (Pages 66 to 69)

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1 gender been a factor in any decision made
 2 about your employment at LA Weight Loss?
 3 A. No.
 4 Q. Have you ever been told that
 5 it was?
 6 A. No.
 7 Q. Have you ever received since
 8 — well, strike that.
 9 At any time in your
 10 employment at LA Weight Loss have you
 11 received any training on equal employment
 12 opportunity?
 13 A. Yes.
 14 Q. Are you familiar with that
 15 term, equal employment opportunity?
 16 A. Yes.
 17 Q. And you understand that it
 18 means non-discrimination?
 19 A. Correct.
 20 Q. Have you received any
 21 training from human resources on that?
 22 A. There was a specific
 23 conference call over the summer of 2005
 24 for all area supervisors and regional

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1 supervisors in regards to the hiring
 2 practices and coaching and developing and
 3 a basic general conference call,
 4 unfortunately, I was on vacation that
 5 week. So I have the e-mail, I have the
 6 information but I was not actually on the
 7 conference call.
 8 Q. What was -- was the e-mail
 9 just an e-mail with attached like
 10 documents?
 11 A. Correct. Yes.
 12 Q. Was it a long e-mail or a
 13 short e-mail?
 14 A. Honestly I don't remember
 15 it's in my in box somewhere.
 16 Q. What were the attachments?
 17 A. I don't remember.
 18 Q. Other than that have you
 19 ever received any training from human
 20 resources on equal employment opportunity
 21 at LA Weight Loss?
 22 A. No.
 23 Q. When you first were hired
 24 with the company you received a handbook?

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1 A. Yes.
 2 Q. Do you recall the handbook
 3 having an EEO statement in it?
 4 A. I believe it does, yes.
 5 Q. But no block of instruction
 6 other than what you've already testified
 7 to?
 8 A. Correct.
 9 Q. Apart from formal training
 10 by human resources have you ever received
 11 any other training or coaching concerning
 12 equal employment opportunity or
 13 non-discrimination?
 14 A. No. Well, I apologize,
 15 training as in somebody other than the HR
 16 department, is that what you're saying?
 17 Q. Training by someone other
 18 than the HR department or informal
 19 coaching by someone other than the HR
 20 department?
 21 A. The meeting that I attended
 22 in April of '05 that I've already
 23 testified to with Michelle Blum, yes,
 24 that was covered in there.

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1 Q. What did she say about EEO
 2 at that meeting?
 3 A. That we are a
 4 non-discriminating company, we hire
 5 somebody due to qualifications and
 6 attitude and overall ability to perform
 7 the job regardless of anything else.
 8 Q. We talked about your past
 9 jobs and I just want to go back to that
 10 for a minute. The job at Junction?
 11 A. Yes.
 12 Q. Have you found that any of
 13 the skills or abilities that you acquired
 14 at that job or any of the aspects of that
 15 job at Junction that those have been
 16 helpful to you in working at LA Weight
 17 Loss?
 18 A. Yes.
 19 Q. What?
 20 A. My supervisor at the
 21 Junction Jeff Mary worked for the Pyramid
 22 Corporation and did a lot of hiring and
 23 interviewing and coaching and motivating
 24 the salespeople for Pyramid. He's -- he

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<p style="text-align: right;">Page 174</p> <p>1 during the consultation?</p> <p>2 A. We establish a goal weight,</p> <p>3 we establish when that's going to happen.</p> <p>4 We talk about any medical conditions or</p> <p>5 medications that they may be taking at</p> <p>6 the time. Any allergies that they may</p> <p>7 have. Some people can't do our program</p> <p>8 due to medical conditions. Once that's</p> <p>9 all done and out of the way we talk to</p> <p>10 them about how long they've been thinking</p> <p>11 about losing the weight, what struck</p> <p>12 their interest, what's the driving force.</p> <p>13 Is your husband making comments, is your</p> <p>14 wife a weight loss guru and continuous</p> <p>15 health food nut and you go home and eat a</p> <p>16 cheeseburger and french fries every</p> <p>17 night, I mean what's your home life like.</p> <p>18 How important it is to them, any programs</p> <p>19 that they've may have tried in the past</p> <p>20 or have them rate it on a scale of one to</p> <p>21 10 as to whether or not 10 is being the</p> <p>22 most important or one this really isn't</p> <p>23 very important to you.</p> <p>24 We're done with the</p>	<p style="text-align: right;">Page 176</p> <p>1 final and most important part of the</p> <p>2 program is our maintenance, teaching our</p> <p>3 clients how to maintain this. We tell</p> <p>4 them it's a life style change because it</p> <p>5 is, we're changing the way they're going</p> <p>6 to eat forever, this isn't a diet.</p> <p>7 The next page we talk about</p> <p>8 is the LA Lights and how important the</p> <p>9 soy protein is to their success and how</p> <p>10 it's going to aid them if they're</p> <p>11 medically eligible to use them. And we</p> <p>12 talk about the herbal supplements that we</p> <p>13 offer and how they will also if they're</p> <p>14 medically eligible aid them in their</p> <p>15 weight loss.</p> <p>16 And then the final page just</p> <p>17 let's them know hey, we're going to do a</p> <p>18 medical history today, we're going to get</p> <p>19 your doctor's information because we may</p> <p>20 need to contact your physician if we have</p> <p>21 to alter anything. Talk to them about</p> <p>22 setting up an appointment for a blood</p> <p>23 draw. We have phlebotomists in each of</p> <p>24 the centers to draw their blood and check</p>
<p style="text-align: right;">Page 175</p> <p>1 questionnaire we move on to our one on</p> <p>2 one magazine which explains our program</p> <p>3 step by step to them. First page inside</p> <p>4 cover introduces them to Dr. Boyd Lyles</p> <p>5 who backs LA Weight Loss. Next page,</p> <p>6 wow, I should remember this, shouldn't I.</p> <p>7 The next page talks about the three phase</p> <p>8 program and how it's personalized to</p> <p>9 them. Goes into a little bit of detail</p> <p>10 as far as the weight loss, the one on one</p> <p>11 counseling, the blood pressure, the</p> <p>12 measurements, the personal eating profile</p> <p>13 which is going to analyze their eating</p> <p>14 behaviors. The fact that we calculate</p> <p>15 how much weight they've loss each and</p> <p>16 every time they come into the center to</p> <p>17 make sure they're losing exactly how</p> <p>18 they're supposed to and if they're not we</p> <p>19 need to fix it.</p> <p>20 Once they're done with their</p> <p>21 weight loss we flip the page and talk</p> <p>22 about stabilization and how we stabilize</p> <p>23 our clients at their weight that they're</p> <p>24 comfortable at. And then the third and</p>	<p style="text-align: right;">Page 177</p> <p>1 all their thyroid and their cholesterol</p> <p>2 and things of that nature.</p> <p>3 Set up two appointments,</p> <p>4 their next visit to the center which is</p> <p>5 the program explanation and then their</p> <p>6 personal success visit which is at their</p> <p>7 one-week check point to make sure they're</p> <p>8 doing okay on the program 1 week into it.</p> <p>9 And also at that visit it's their</p> <p>10 opportunity to save on their LA Lights,</p> <p>11 they can buy them ahead of them instead</p> <p>12 of buying week to week and save anywhere</p> <p>13 from 10 to 30 percent off on them.</p> <p>14 Q. What happens during a daily?</p> <p>15 A. It's accountability. It's</p> <p>16 we go over their food diary, we weigh</p> <p>17 them in. We make sure they're getting</p> <p>18 all their foods in. Support. If we see</p> <p>19 they've gone up 2 pounds in 2 days</p> <p>20 there's a reason for it, we find out why.</p> <p>21 We do some advance problem solving with</p> <p>22 our clients, let them come up with the</p> <p>23 can solutions to fix the problem. But of</p> <p>24 course we guide them into the solution</p>

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1 that's going to fix it. If we need to
 2 tie products into it to help them and
 3 they really need the help that we can
 4 offer them with our products we talk to
 5 them about the products. We take a blood
 6 pressure once a week. We do measurements
 7 every 4 weeks. Ask them if there's
 8 anything else that we can help them with
 9 and see you in 2 days. Was that all
 10 right?

11 Q. You would know a lot better
 12 than I.

13 MR. LANDAU: Sign up, are
 14 you kidding me.

15 THE WITNESS: Would that be
 16 cash, check or credit card, sir?

17 (A discussion off the record
 18 occurred.)

19 BY MR. PHILLIPS:

20 Q. What, why is bowel movements
 21 relevant, what does that have to do with
 22 anything?

23 A. Constipation is --
 24 constipation is generally the first road

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1 block at weight loss. When somebody has
 2 a bowel movement they're getting rid of
 3 things that their body doesn't need.
 4 When you eat unhealthy food, high fat
 5 food, high carbohydrate food you go to
 6 the bathroom more. When you eat very low
 7 fat foods, lot of fresh fruits and
 8 vegetables generally you have less waste
 9 for your body to get rid of so you go to
 10 the bathroom less. So that's a question
 11 that we ask every time.

12 Q. Have you ever counseled any
 13 men?

14 A. Yes.

15 Q. Men clients?

16 A. Yes. Yes.

17 Q. Is that an issue that's
 18 raised at those sessions as well?

19 A. It's raised with every
 20 client.

21 Q. With every client?

22 A. Yes.

23 Q. How is the menstrual cycle
 24 relevant, what's that relevant to?

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1 A. Generally couple days prior
 2 to a woman starting her menstrual cycle
 3 she will retain water because her body is
 4 going to start fighting some things off
 5 so it needs the water and it's going to
 6 hold onto it and you're going to see the
 7 scale go up a little bit sometimes. And
 8 women realize it, they come in and they
 9 talk about being blotted and they're
 10 retaining water in their hands or their
 11 ankles or around their midsection and we
 12 have a lot of little tips that we can
 13 give them to help them get rid of that
 14 water retention.

15 Q. And that's the menstrual
 16 cycles and the impact on weight loss,
 17 that's something that's part of your
 18 service training, correct?

19 A. Correct.

20 Q. And you learned that right
 21 from the start when you worked at LA?

22 A. I believe it was either in
 23 service training or it was the first day
 24 that my, my trainer who followed up who

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1 did my training, Sheila, she came into
 2 the Watertown center I think it was my
 3 first day in the center and worked with
 4 me in setting up my desk, making sure I
 5 had all the menu plans. I watched her do
 6 a couple of daily visits and then she
 7 watched me do some daily visits. And
 8 yes, it was right at the beginning. And
 9 I have three sisters so I know.

10 Q. Even if you didn't have
 11 three sisters though that's just
 12 something that's covered as part of your
 13 training?

14 A. Absolutely, absolutely.

15 Q. Again, just to educate
 16 myself, what are some of the most common
 17 reasons given, you earlier on we were
 18 talking about the initial consultation
 19 when a perspective client comes in and
 20 obviously they're not some of them aren't
 21 sure whether or not they even want to be
 22 on the program, there's a sales aspect of
 23 this, correct?

24 A. Correct.

46 (Pages 178 to 181)

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